

### **REMARKS**

Applicants appreciate the Examiner's thorough consideration provided in the present application. Claims 9-12 and 17 are currently pending in the instant application. Claims 1, 3-8, 13-16 and 18 have been cancelled without prejudice or disclaimer to the subject matter contained therein. Claims 9 and 17 are independent. Reconsideration of the present application is earnestly solicited.

#### **Allowable Subject Matter**

Applicants appreciate the Examiner's indication of allowable subject matter. Specifically, claims 9-12 and 17 have been allowed by the Examiner. Accordingly, Applicants submit that present application should be permitted to Issue.

#### **Reasons for Entry of Amendment**

As discussed in greater detail hereinafter, Applicants respectfully submit that the rejections under 35 U.S.C. § 103(a) have been obviated and/or rendered moot by the foregoing amendments to the claims. Specifically, without conceding the propriety of the Examiner's rejections, but merely to

expedite the prosecution of the present application, Applicants have cancelled claims 1, 3-8, 13-16 and 18.

In accordance with the requirements of 37 CFR 1.116, Applicants respectfully request entry and consideration of the foregoing amendments as they remove issues for appeal (rejected claims are cancelled and remaining claims have been allowed).

#### **Priority**

Applicants appreciate the Examiner's indication of acceptance of the certified copy of the corresponding priority document for the present application.

#### **Drawings**

Applicants respectfully request approval of the formal drawings filed on July 1, 2003. Since the Examiner has not cited any informalities with the drawings, Applicants submit that the formal drawings should be approved. In the absence of additional comments from the Examiner, Applicants will not take any further action with respect to the drawings.

**Claim Rejection Under 35 U.S.C. § 112**

Claims 6 and 7 have been rejected due to the presence of alleged informalities with these claims. This rejection is respectfully traversed.

In light of the foregoing amendments to the claims, Applicants respectfully submit that these rejections have been obviated and/or rendered moot.

**Claim Rejection Under 35 U.S.C. § 103**

Claims 1, 3, 4, 6-8 and 18 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Oguri in view of Official Notice. Claim 5 and 13-16 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Oguri in view of Official Notice, and further in view of Shinobu (Japanese Patent Abstract No. 60179328 A). These rejections are respectfully traversed.

In light of the foregoing amendments to the claims, specifically the cancellation of claims 1, 3-8, 13-16 and 18, Applicants respectfully submit that all of the rejections have been obviated and/or rendered moot.

### **CONCLUSION**

Since the remaining references cited by the Examiner have not been utilized to reject the claims, but merely to show the state-of-the-art, no further comments are deemed necessary with respect thereto.

All the stated grounds of rejection have been properly traversed and/or rendered moot. Applicants therefore respectfully request that the Examiner reconsider all presently pending rejections and that they be withdrawn.

Applicants respectfully petition under the provisions of 37 C.F.R. § 1.136(a) and § 1.17 for a three-month extension of time in which to respond to the Examiner's Office Action. The Extension of Time Fee in the amount of **\$1020.00** is attached hereto.

In the event there are any matters remaining in this application, the Examiner is invited to contact Matthew T. Shanley, Registration No. 47,074 at (703) 205-8000 in the Washington, D.C. area.

Docket No. 0505-1206P

Appl. No.: 10/609,415

Art Unit: 3681

Amendment dated April 15, 2005

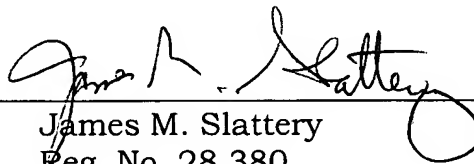
Reply to Office Action of November 10, 2004

Page 10 of 10

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By   
James M. Slattery  
Reg. No. 28,380

  
JMS/MTS/cl

P. O. Box 747  
Falls Church, VA 22040-0747  
(703) 205-8000